



County of Los Angeles
CHIEF ADMINISTRATIVE OFFICE

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DAVID E. JANSSEN
Chief Administrative Officer

January 14, 2002

To: Supervisor Zev Yaroslavsky, Chairman
Supervisor Gloria Molina
Supervisor Yvonne Brathwaite Burke
Supervisor Don Knabe
Supervisor Michael D. Antonovich

From: David E. Janssen
Chief Administrative Officer

Board of Supervisors

GLORIA MOLINA
First District

YVONNE BRATHWAITE BURKE
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

**MOTION TO SUPPORT PROPOSITION 41 – VOTING MODERNIZATION BOND ACT
OF 2002 (ITEM NO. 2, AGENDA OF JANUARY 15, 2002)**

Item No. 2 on the January 15, 2002 Agenda is a motion by Supervisor Molina to support Proposition 41, the Voting Modernization Bond Act of 2002, which is on the March 5, 2002 primary election ballot.

Proposition 41, also known as the Shelley-Hertzberg Act, authorizes the State to issue and sell \$200 million in general obligation bonds to modernize county voting equipment. It establishes a five-member Voting Modernization Board (Board) which would award grants to counties for the purchase of new voting equipment that is certified by the Secretary of State, including touch screen voting systems. Two members of the Board are to be appointed by the Secretary of State and three members are to be appointed by the Governor. The measure requires counties to match one dollar of county funds for every three dollars of bond funds awarded.

The Registrar-Recorder/County Clerk indicates that Proposition 41 could provide substantial funding to help replace the existing punch card voting equipment that has been decertified by the Secretary of State and must be replaced by July of 2005. The Department estimates that replacement of the existing punch card system with a touch screen voting system would cost \$100 million and is pursuing funding for the local match through grants and other sources. Pending Federal legislation, H.R. 3295 (Ney, R-OH) and S. 565 (Dodd, D-CT), could provide additional funds for this purpose. Absent other funding, the County would be required to match approximately \$25 million to replace the existing system, if the Board awards Los Angeles County \$75 million.



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On April 17, 2001 the American Civil Liberties Union filed a lawsuit against the Secretary of State alleging that voters in the nine California counties that use punch card voting systems "have disproportionately been denied their right to have their votes counted." On August 27, 2001 the Federal District Court denied a motion to have the case dismissed.

Proposition 41 is supported by the Secretary of State and the League of Women Voters of California. It is opposed by the Howard Jarvis Taxpayers Association and the National Tax Limitation Committee who assert that new voting machines should be purchased with existing tax revenues.

On March 19, 2001 the County took a position to support AB 56 (Shelley/Hertzberg) if amended to remove the local match requirement. AB 56 was the legislation which authorized this measure to be placed on the ballot. Although the match requirement remains in the measure, we recommend that the County support Proposition 41 because it will provide substantial funding to meet the County's obligation to replace our obsolete voting equipment with a voting system which is certified by the Secretary of State.

DEJ:GK
MS:lm

c: Executive Officer, Board of Supervisors
 County Counsel
 Legislative Strategist
 Registrar-Recorder/County Clerk